

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

MONTE EMMANUEL STRAITE,	)	
	)	
Petitioner,	)	
	)	
v.	)	1:15CV910
	)	1:11CR321-1
UNITED STATES OF AMERICA,	)	
	)	
Respondent.	)	

**ORDER**

The Recommendation of the United States Magistrate Judge was filed with the Court in accordance with 28 U.S.C. § 636(b) [Doc. #126] and, on March 28, 2022, was served on the parties in this action [Doc. #127]. Petitioner filed Objections to the Magistrate Judge's Recommendation within the time limits prescribed by 28 U.S.C. § 636. [Doc. #135.]

The Court has appropriately reviewed the portions of the Magistrate Judge's Recommendation to which objection is made and has made a de novo determination in accord with the Magistrate Judge's report. The Court therefore adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that Petitioner's Motion under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence [Doc. #78], the Supplemental Section 2255 Motion [Doc. #89], and the Local Rule 7.3(k) Motion [Doc. #109] are denied, the Supplement Motion [Doc. #88] is denied as moot, the Amendment

Motion [Doc. #108] is denied as futile, and that this action is dismissed with prejudice. Finding neither a substantial issue for appeal concerning the denial of a constitutional right affecting the conviction nor a debatable procedural ruling, a certificate of appealability is not issued.

A Judgment dismissing this action will be entered contemporaneously with this Order.

This the 21st day of September, 2022.

/s/ N. Carlton Tilley, Jr.  
Senior United States District Judge